

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

47519

In the Application of:)	
Jesse GAYTAN)	
)	
Filing Date: 21 September 2004)	Art Unit: 1615
)	
Serial No. 10/508,407)	Examiner: Palenik

For: GRANULATED PHOSPHOROAMIDO(DI)THIOATES

ELECTION

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

May 21, 2008

Dear Sir:

In response to the Restriction Requirement, applicant will elect to prosecute the invention of Group II, claims 19-34. This election is with traverse.

The present application is a national phase application under 35 U.S.C. § 371. Claims of such applications are subject to restriction only under the more liberal "unity of invention" standard. See, MPEP § 1893.03(d) and § 1850. Under this test, the present claims to the process of manufacture and the product represent a unity of invention that must be examined in the same application.

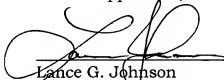
The examiner has asserted that unity of invention is lacking because "there is no special technical feature", citing the published application to Chan et al. WO 91/11104. Such a citation is a patentability issue that does not establish the absence of a special technical feature linking the process and product claims. Inspection will show that the special size and distribution limitations between claims 1 and 19 are identical. This is sufficient to form a unified invention.

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Docket No. 47519

Accordingly, reconsideration of the restriction requirement is respectfully requested.

For the Applicants,



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